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ROBERT A. WARMINGTON

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UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. Faith S. Hochberg
v. : Criminal No. 08-821 (FSH)
ALEXEY ZAPOLSKY : SCHEDULING AND CONTINUANCE ORDER

This matter having come before the Court on the joint application of Ralph J. Marra, Jr., Acting United States Attorney for the District of New Jersey (by Lee D. Varnan, Assistant United States Attorney), and defendant Alexey Zapolsky (by Robert Warmington, Esq.) for an order granting a continuance of the proceedings in the above-captioned matter, and the defendant being aware that he has the right to have the matter brought to trial within 70 days of the date of his appearance before a judicial officer of this court pursuant to Title 18 of the United States Code, Section 3161(c)(1), and as the defendant has consented to such a continuance, and for good and sufficient cause shown,

IT IS THE FINDING OF THIS COURT that this action should be continued for the following reasons:

1. Plea negotiations are currently in progress, and both the United States and the defendant desire additional time to finalize a plea agreement, which would render trial of this matter unnecessary;
2. Defendant has consented to the aforementioned continuance; and
3. Pursuant to Title 18 of the United States Code, Section 3161(h)(3), the ends of justice served by granting the continuance outweigh the best interests of the public and the defendant in a speedy trial.

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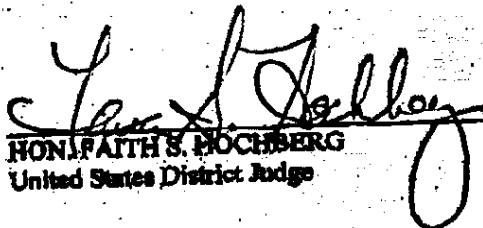
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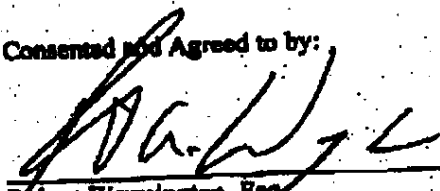
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WHEREFORE, on this 4th day of March, 2009,

IT IS ORDERED that the period from March 3, 2009, through May 1, 2009, shall be excludable in computing time under the Speedy Trial Act of 1974, pursuant to Title 18, United States Code, Section 3161(h)(8).


HON. FAITH S. HOCHBERG
United States District Judge

Consented and Agreed to by:


Robert Warmington, Esq.
Counsel for defendant Zapolsky


Lee D. Vartan
Assistant United States Attorney